



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

TJS:TAD
F. #2013R00381

271 Cadman Plaza East
Brooklyn, New York 11201

July 10, 2014

By Hand and ECF

Honorable Raymond J. Dearie
Senior United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Bebars Baslan, 13-CR-220 (RJD)

Dear Judge Dearie:

The government respectfully submits this letter regarding the child pornography evidence that the government intends to display during trial. The government has selected a sample of six image files and five video files, which are described below and are available for the Court's review.

The government intends to display each image file for five seconds. Of the videos, the government intends to display only screenshots of three videos and portions of two videos, as described further below. Each screenshot will be displayed for five seconds. The lengths of each video clip are described below. The government shown the images, screenshots, and videos to defense counsel.

Image Files

[REDACTED] 1

This image depicts a nude prepubescent girl wearing black stockings. Her hands are tied above her head and her legs are tied to their respective thighs exposing her

¹ The government has redacted the filenames of the images and video files in the publicly filed document to prevent others from searching for the same files on the internet. The government requests that an unredacted copy of this letter be maintained under seal by the Court.

genitalia. The victim depicted in this image has been identified by law enforcement as a real child.



This image depicts a nude prepubescent girl who appears to be approximately 9 years old, lying on a bed with her legs spread apart exposing her vagina. The victim depicted in this image has been identified by law enforcement as a real child.



This image depicts an adult male whose jeans appears to be pulled down below his knees and he is holding his erect penis over a prepubescent girl's face. This image depicts the same known victim as the previous image.



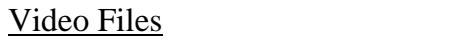
This image depicts a prepubescent girl with an adult male's penis in her mouth. The victim depicted in this image has been identified by law enforcement as a real child.



This image depicts a close-up view of an adult male's penis penetrating a prepubescent girl. Law enforcement has identified the image to depict the same known victim as the previous image.



This image depicts a prepubescent girl with her legs spread apart exposing her vagina and anus. There appears to be semen on her vagina. The image includes a caption which states: "The cure for aids is gang banging toddlers".



Video Files

This is a 26 minute, 2 second video file that depicts an adult female and an approximately two year old child. The video begins with the child and adult female viewing child pornography on a computer. The adult female and child are later pictured without their clothing. The adult female is feeding the child yogurt. The adult female then places yogurt on her body, which the child licks off. The video later shows the adult female licking the child's vagina.

The government selected this video because it was discussed at length by Baslan and Kristen Henry in the March 7, 2013 recording made by the confidential source.

The government intends to display three clips from this video:

- A 14 second video depicting the child and adult female watching child pornography;
- A 1 minute, 4 second video of the adult female feeding the child yogurt and placing yogurt on her chest for the adult female to lick off;
- A 13 second video of the adult female licking the child's vagina.

[REDACTED]

This is a 34 second video depicting a prepubescent girl lying on what appears to be a bed wearing no shirt. There is an adult male holding his penis over the girl's face. The girl tries to sit up and the adult male holds the girl's head down and ejaculates in the girl's mouth. This victim in this video is known by law enforcement to be a real child.

The government intends to display the first ten seconds of this video.

[REDACTED]

This is a 1 minute, 49 second video depicting a nude prepubescent girl who appears to be approximately six years old. She appears to be lying on a bed with what appears to be a towel over her eyes. The camera focuses on her vagina and then there is a hand that appears to belong to an adult male masturbating his penis. The adult male then rubs his penis on the girl's vagina and then penetrates the girl's anus.

The government intends to display three screenshots of this video, which depict scenes of the girl; the male rubbing his penis on the girl's vagina; and the male's penis penetrating the girl's anus.

[REDACTED]

This is a 2 minute, 17 second video depicting two scenes of sexual abuse of prepubescent girls. In the first scene, a prepubescent girl wearing only black stockings, who appears to be approximately 5 years old, is touching an erect penis. In the second scene, an adult male is penetrating a different prepubescent girl's vagina, who is wearing white stockings.

The government selected this video because the same video is visible on the television screen in Baslan's residence during the March 7, 2013 video recording made by the confidential source.

The government intends to display four screenshots depicting the first girl touching the adult male's penis; the first girl's face, with the adult male's penis in the frame; and two differently angled images of the second girl's vagina being penetrated by the adult male's penis.

[REDACTED]

This is a 45 minute, 41 second video depicting approximately 12 different scenes, which include adult men masturbating themselves, children with adult male penises in their mouths, adult male penises penetrating prepubescent girls vaginas, and digital penetration of a prepubescent girl's vagina. The scenes primarily depict babies and toddlers.

The government intends to show six screenshots from one scene in the video. That scene depicts a nude prepubescent girl who appears to be approximately two to three years old and lying down on what appears to be a bed. There is an adult male who appears to be nude tapping his penis on the girl's vagina. The adult male then sits up the girl and places her head over his penis and his penis is in the girl's mouth. The adult male then lays the girl on her back and flips her over on her stomach and he places his penis towards the girl's genitalia. He then licks her genitalia and starts to masturbate himself. The adult male then flips the girl on her back again and puts his penis in the girl's mouth. He continues to masturbate himself and ejaculates on the girl's vagina. The girl cries at this point.

The screenshots depict the child laying on the bed with the adult male's penis on her vagina; the child with the adult male's penis in her mouth; the child laying on her stomach with the adult male's penis touching her genitalia; the adult male licking the child's genitalia; the adult male's penis in the child's mouth; and the adult male ejaculating on the child.

The government selected these videos out of approximately 74,000 images and 2,000 videos depicting child pornography or child erotica. The selected images and videos (and the screenshots created by the government) do not, by any stretch, represent the most disgusting videos and images seized by the government. As illustration, the victim depicted in the image [REDACTED] is depicted in other images and videos on a hard drive seized from the defendant. In one video, she has a dog's penis in her mouth. In another video, she is tied down while a dog licks her genitals. In videos depicting other victims, there are children interacting with feces. In the video [REDACTED], the government has created screenshots of a scene depicting a child who is approximately two years old. As is noted above, other scenes in that video depict babies being sexually abused.

The government has previously provided briefing regarding the admissibility of these images and videos in our submissions of May 12, 2014 (Docket No. 81).

Respectfully submitted,

LORETTA E. LYNCH
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cc: Clerk of the Court (RJD) (by ECF)
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